

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

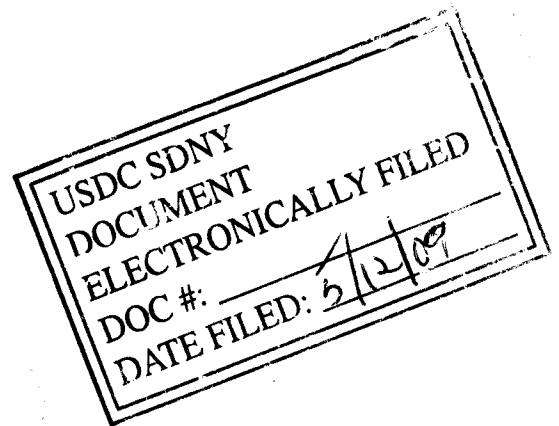
v. -

LUIS FERNANDO MORA PESTANA,
a/k/a "Silver,"
JULIO ENRIQUE LEMOS-MORENO,
a/k/a "Andres,"
a/k/a "Nader,"
CARLITOS LNU,
ALEXIS LNU,
a/k/a "Alexi,"
FNU LNU,
a/k/a "El Indio,"
ROQUE OROBIO LOBON,
a/k/a "Roque Orobio Tobon,"
a/k/a "Mello,"
a/k/a "Tachuela,"
EDILBERTO BERRIO ORTIZ,
a/k/a "El Gavilan,"
ALEJANDRO PALACIOS RENGIFO,
a/k/a "El Gato,"
a/k/a "Yimi," and
ANDERSON CHAMAPURO DOGIRAMA,
a/k/a "El Tigre,"
a/k/a "Dairon,"

Defendants.
-----X

SEALED
INDICTMENT

S6 09 Cr. 109



COUNT ONE

The Grand Jury charges:

1. From in or about March 2008, up to and including in or about the date of the filing of this Indictment, in the Southern District of New York, the Republic of Panama, and elsewhere, LUIS FERNANDO MORA PESTANA, a/k/a "Silver," JULIO ENRIQUE LEMOS-MORENO, a/k/a "Andres," a/k/a "Nader," CARLITOS LNU, ALEXIS LNU, a/k/a "Alexi," and FNU LNU, a/k/a "El Indio,"

ROQUE OROBIO LOBON, a/k/a "Roque Orobio Tobon," a/k/a "Mello," a/k/a "Tachuela," EDILBERTO BERRIO ORTIZ, a/k/a "El Gavilan," ALEJANDRO PALACIOS RENGIFO, a/k/a "El Gato," a/k/a "Yimi," ANDERSON CHAMAPURO DOGIRAMA, a/k/a "El Tigre," a/k/a "Dairon," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly combined, conspired, confederated and agreed together and with each other to violate the laws of the United States against the taking of hostages.

2. It was a part and an object of the conspiracy that LUIS FERNANDO MORA-PESTANA, a/k/a "Silver," JULIO ENRIQUE LEMOS-MORENO, a/k/a "Andres," a/k/a "Nader," CARLITOS LNU, ALEXIS LNU, a/k/a "Alexi," and FNU LNU, a/k/a "El Indio," ROQUE OROBIO LOBON, a/k/a "Roque Orobio Tobon," a/k/a "Mello," a/k/a "Tachuela," EDILBERTO BERRIO ORTIZ, a/k/a "El Gavilan," ALEJANDRO PALACIOS RENGIFO, a/k/a "El Gato," a/k/a "Yimi," ANDERSON CHAMAPURO DOGIRAMA, a/k/a "El Tigre," a/k/a "Dairon," the defendants, and others known and unknown did conspire to seize, detain, and threaten to kill, to injure, and to continue to detain a national of the United States, in order to compel third persons to do an act as an explicit and implicit condition for the release of the person detained, to wit, the defendants, and others known and unknown, conspired to take a United States national hostage in the Republic of Panama in order to compel the victim's family to pay money to secure the victim's release.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed:

a. In or about February 2008, LUIS FERNANDO MORA PESTANA, a/k/a "Silver," authorized the release of money to ROQUE OROBIO LOBON, a/k/a "Roque Orobio Tobon," a/k/a "Mello," a/k/a "Tachuela," to finance the kidnapping.

b. On or about April 4, 2008, OROBIO LOBON, together with co-conspirators not named as defendants herein, kidnapped the victim from the Costa del Este neighborhood of Panama City, Panama.

c. On or about April 7, 2008, JULIO ENRIQUE LEMOS-MORENO, a/k/a "Andres," a/k/a "Nader," the defendant, spoke to CARLITOS LNU, the defendant, about the kidnapping victim's background.

d. On or about May 22, 2008, FNU LNU, a/k/a "El Indio," the defendant, spoke to a the victim's relative, who was located in Miami, Florida at the time of the call, and asked how much ransom money the victim's family had raised.

e. On or about July 2, 2008, ALEXIS LNU, a/k/a "Alexi," the defendant, spoke to the victim's relative, who was located in Miami, Florida at the time of the call, and reiterated the amount of the ransom that the victim agreed to pay. During the same conversation, ALEXIS LNU informed the victim's relative, who was located in Miami, Florida, that the victim's family would

never see the victim again unless the full ransom was paid.

f. On or about April 6, 2008, EDILBERTO BERRIO ORTIZ, a/k/a "El Gavilan," ALEJANDRO PALACIOS RENGIFO, a/k/a "El Gato," a/k/a "Yimi," ANDERSON CHAMAPURO DOGIRAMA, a/k/a "El Tigre," a/k/a "Dairon," began to guard the victim, and continued to guard him, thereby preventing his release, until February 10, 2009.

g. From in or about September 2008 to December 2008, the victim's family moved the ransom money from a location in Miami, Florida to Panama City, Panama, where it was eventually withdrawn from a bank.

h. Prior to February 20, 2009, geolocation coordinates corresponding to a location within the territory of the Republic of Panama were provided by ALEXIS LNU to a member of the victim's family for a ransom delivery, and on or about February 20, 2009, the ransom monies were delivered to the site of the coordinates - within the Republic of Panama.

i. On or about February 23, 2009, the victim was released in the Republic of Panama, and thereafter returned to the United States.

(Title 18 United States Code, Section 1203.)

COUNT TWO


The Grand Jury further charges:

4. From in or about April 4, 2008, up to and including in or about the date of the filing of this Indictment, LUIS FERNANDO MORA PESTANA, a/k/a "Silver," JULIO ENRIQUE LEMOS-MORENC, a/k/a "Andres," a/k/a "Nader," CARLITOS LNU, ALEXIS LNU,

a/k/a "Alexi," FNU LNU, a/k/a "El Indio," ROQUE OROBIO LOBON, a/k/a "Roque Orobio Tobon," a/k/a "Mello," a/k/a "Tachuela," EDILBERTO BERRIO ORTIZ, a/k/a "El Gavilan," ALEJANDRO PALACIOS RENGIFO, a/k/a "El Gato," a/k/a "Yimi," ANDERSON CHAMAPURO DOGIRAMA, a/k/a "El Tigre," a/k/a "Dairon," the defendants, unlawfully, intentionally, and knowingly did seize, detain, and threaten to kill, to injure, and to continue to detain a national of the United States, in order to compel third persons to do an act as an explicit and implicit condition for the release of the national, to wit MORA PESTANA authorized the release of money to finance the kidnapping, OROBIO LOBON physically detained the victim against his will, LEMOS-MORENO and CARLITOS LNU spoke on the telephone about the kidnapping and the victim, ALEXIS LNU and FNU LNU a/k/a "El Indio" participated in ransom calls to the victim's family in Miami, Florida, and BERRIO ORTIZ, PALACIOS RENGIFO, and CHAMAPURO DOGIRAMA guarded the victim thereby preventing his release.

(Title 18, United States Code, Sections 1203 and 2.)


FOREPERSON


LEV L. DASSIN
Acting United States Attorney

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Defendants.

INDICTMENT

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(18 U.S.C. § 1203)

Lev L. Dassin
Acting United States Attorney.

A TRUE BILL


Foreperson.
